

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

Oto Analytics, LLC,

Plaintiff,

v.

Benworth Capital Partners PR LLC,
Benworth Capital Partners LLC,
Bernardo Navarro and Claudia
Navarro,

Defendants

Federal Reserve Bank of San
Francisco,
Plaintiff

v.

Oto Analytics, LLC; Benworth
Capital Partners PR LLC, Benworth
Capital Partners LLC, Bernardo
Navarro and Claudia Navarro,

Defendants.

**Civil No. 23-1034 (GMM) cons.
Civil No. 24-1313 (GMM)**

CASE MANAGEMENT ORDER

The Court issues this Case Management Order (CMO) pursuant to Fed. R. Civ. P. 16(b) and Local Civil Rule 16 to schedule and plan the course of litigation to achieve a just, speedy, and inexpensive determination of this action. Fed. R. Civ. P. 1. Counsel will: (1) read this CMO thoroughly and comply with it strictly; (2) as officers of the Court, conduct themselves with utmost civility and professionalism toward the Court and each other; (3) faithfully

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adhere to the Federal Rules of Civil Procedure and the Court's Local Rules; and (4) earnestly attempt to resolve discovery disputes without the need for Court intervention.

To that extent and after considering the contents of the *Joint Proposed Scheduling Memorandum* (Docket No. 159), the Court imposes the following deadlines:

Event	Deadline
Initial Rule 26 disclosures as to Federal Reserve Bank of San Francisco ("Reserve Bank")	September 5, 2024
Parties hold Rule 26 (f) conference	September 25, 2024 or earlier
Defendants Respond to Reserve Bank's Discovery Requests	October 7, 2024
Substantial Completion of Document Discovery	November 29, 2024
Completion of Fact Discovery	March 7, 2025
For Parties to disclose experts and expert witness summaries as required by Fed. R. Civ. P. 26(a)(2)	March 17, 2025
For Parties to disclose expert reports as required by Fed. R. Civ. P. 26(a)(2)(B)	April 28, 2025
For Parties to Submit Rebuttal Expert Reports	May 28, 2025
Conclusion of all discovery	June 16, 2025
To file Dispositive Motions	July 16, 2025
To file oppositions to dispositive motions	July 31, 2025 <u>Replies and sur-replies are allowed.</u> They should be submitted without further Court authorization not later than

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	seven (7) days after filing of the motion they are responding to.
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- The Parties shall file a joint status report every thirty (30) days informing the status of discovery, and the case in general. First joint status report is due **September 30, 2024**.
- Motions for summary judgment, oppositions, replies, and sur-replies must comply with Fed. R. Civ. P. 56, Local Civ. R. 56, and Local Civ. R. 7. Further, the motions shall be accompanied by certified or stipulated English translation of any supporting document not in the English language.
- The Parties shall deliver a courtesy copy of all dispositive motion materials (dispositive motions, oppositions, replies, and sur-replies), together with their supporting documents to the Clerk's Office Room 325, Old San Juan Courthouse in an envelope or box directed to the undersigned's chamber if they are more than 25 pages, exhibits included. The copies shall be bound, and exhibits shall be numbered and separated by tabs. The exhibits shall include an index. Courtesy copies are due three (3) days after the corresponding motion was filed. Failure to comply may result in sanctions, economic or otherwise, including the corresponding motion being stricken from the record.
- The Court will not accept "hybrid motions", e.g., "to dismiss and/or summary judgment", "in limine or summary judgment".
- Pre-trial Conference: **to be scheduled as appropriate on a later date.**
- Deadline to file a Joint Proposed Pre-trial Order: **ten (10) days prior to the Pre-Trial Conference.**
- Motions *in limine* shall be filed 14 days prior to the Pre-Trial Conference.
- Pursuant to Fed. R. Civ. P. 41(b), the Court may impose sanctions, including dismissal, for failure to prosecute or to comply with the Federal Rules of Civil Procedure and the Court's Local Rules, or this CMO.

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- The deadlines in this CMO will be strictly enforced and will not be extended without good cause.
- Any motion seeking an extension of time must be filed in advance of the deadline. It shall include the specific reasons why the Court should extend the discovery deadline. The parties are not allowed to extend discovery on their own by mutual agreement. The parties may not agree to stay the discovery. A stay of proceedings requires a Court order. In the absence of a Court order, discovery shall continue even if there is a dispositive motion pending.

IT IS SO ORDERED.

In San Juan, Puerto Rico, September 3, 2024.

s/Gina R. Méndez-Miró
GINA R. MÉNDEZ-MIRÓ
UNITED STATES DISTRICT JUDGE